SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Satisfaction of Code Enforcement Lien – Case No. 05-08-CEB; Previous owners, Dwight R. & Keitra L. Beacham and current owner, Mary K. Blake-Clemons

DEPARTMENT: Planning and Development DIVISION: Planning

AUTHORIZED BY: <u>Dori DeBord</u> CONTACT: <u>Carolyn Jane Spencer</u> EXT: <u>7403</u>

MOTION/RECOMMENDATION:

Approve the Satisfaction of Lien in the amount of \$2,300.00, Case No. 05-08-CEB, on 133 Jackson Street, Altamonte Springs, Tax Parcel # 18-21-30-502-0B00-010A and 18-21-30-502-0B00-010B, previously owned by Dwight R. & Keitra L. Beacham and currently owned by Mary K. Blake-Clemons, and authorize the Chairman to execute a Satisfaction of Lien.

District 4 Carlton D. Henley

Tina Williamson

BACKGROUND:

In response to a complaint on September 22, 2004, the Code Enforcement Officer observed the following violation located at 133 Jackson Street, Altamonte Springs: Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport which is in violation of Seminole County Code Section 95.4, as defined in Section 95.3 (I).

The timeline on this violation is below:

DATE	ACTION	RESULT
January 27, 2005	Code Board Hearing – Findings of Fact, Conclusions of Law and Order.	Order entered by the Code Enforcement Board setting a compliance date of February 11, 2005 or a fine of \$50.00 per day imposed until compliance is achieved.
February 1, 2005	Affidavit of Compliance filed by the Code Enforcement Officer after February 1, 2005 reinspection.	Violation corrected in time specified by CEB. No fine accrued. Case closed.
July 7, 2005	Affidavit of Repeat Violation filed by the Code Enforcement Officer after June 30, 2005 reinspection.	Violation Repeated.
August 16, 2005	Affidavit of Compliance after Repeat Violation filed by the Code Enforcement Officer after August 16, 2005 reinspection.	Violation corrected. Fine has accrued for 46 days at \$50.00 per day which totals \$2,300.00
August 25, 2005	Code Board Hearing – Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in	Order entered by the Code Enforcement Board reducing the \$2,300.00 fine to \$200.00 if paid on or before September 23, 2005.

	Compliance.	
August 25, 2005		Due to lack of payment of reduced fine, Order entered by the Code Enforcement Board imposing a lien of \$2,300.00.
October 9, 2008	Payment received in the amount of \$2,300.00.	Payment received from Stewart Title Guaranty Company.

STAFF RECOMMENDATION:

Staff recommends the Board approve the Satisfaction of Lien in the amount of \$2,300.00, Code Enforcement Board Case #05-08-CEB, on 133 Jackson Street, Altamonte Springs, Tax Parcel # 18-21-30-502-0B00-010A and 18-21-30-502-0B00-010B, previously owned by Dwight R. & Keitra L. Beacham and currently owned by Mary K. Blake-Clemons, and authorize the Chairman to execute a Satisfaction of Lien.

ATTACHMENTS:

- 1. Findings of Fact
- 2. Affidavit of Compliance
- 3. Affidavit of Repeat Violation
- 4. Corrected Affidavit of Repeat Violation
- 5. Affidavit of Compliance after Repeat
- 6. FOF on a Repeat Violation
- 7. Order imposing Lien
- 8. Check and receipt for payment
- 9. Property Appraiser Data
- 10. Property Appraiser Data
- 11. Satisfaction of Lien

Additionally Reviewed By:

County Attorney Review (Melissa Clarke)

SEMINOLE COUNTY, a political subdivision of the State of Florida.

CASE NO. 05-08-CEB

Petitioner.

VS.

DWIGHT R. & KEITRA L. BEACHAM PARCEL I.D. # 18-21-30-502-0B00-010A AND 18-21-30-502-0B00-010B

Respondents		
		- 1

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-08-CEB, it is determined that the Respondents are:

(a) the owners of record of the property (Tax Parcel ID # 18-21-30-502-0B00-010A and 18-21-30-502-0B00-010B) located at 133 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG S ½ OF N 2/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22

AND

LEG S 1/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondents correct the violation on or before February // 2005 In order to correct the violation, the Respondents shall take the following remedial action:

1) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.

WECORDED BA @ H941049
WECORDING LEFS 18'20
CITEBRAS * SOOROTOTAT
BK O2603 bd2 O118-01SO

05-08-CEB DWIGHT & KEITRA BEACHAM

If the Respondents do not comply with the Order, a fine of 50. will be imposed for each day the violation continues, or is repeated after compliance past <u>February II, 2005</u>. The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

CODE ENFORCEMENT BOARD SEMINOLE COUNTY, FLORIDA

TOM HAGOOD, CHAIR

STATE OF FLORIDA COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 27th day of January, 2005, by Tom Hagood, who is personally known to me.

CERTIFIED COPY CLERK OF THE

CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA By: Amue Reland

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Data

Connie R. DeVasto

Notary Public to and for the

County and State aforementioned.

My Commission Expires



SEMINOLE COUNTY, a political subdivision of the State of Florida

Petitioner,

vs.

DWIGHT R BEACHAM & KEITRA L

Respondent.	
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Case No. 05-08-CEB

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINULE COUNTY
BK 05630 PG 0096
CLERK'S # 2005033741
RECORDED 02/28/2005 02:29:14 PM
RECORDING FEES 10.00
RECORDED BY G Harford

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared Dorothy Hird, Code Enforcement Officer, Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:

- 1. That on **January 27, 2005**, the Board held a public hearing and issued its Order in the above-styled matter.
- 2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **February 11, 2005.**
- 3. That a re-inspection was performed and the Respondent was in compliance on **February 1, 2005.**
- 4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that the junked or abandoned vehicle not stored in enclosed garage or an attached carport has been removed from the property.

FURTHER AFFIANT SAYETH NOT.

DATED this 1st day of FEBRUARY 2005.

Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA) COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 1st day of **February 2005**, by **Dorothy Hird**, who is personally known to me and who did take an oath.

CERTIFIED COPY

CODE ENFORCEMENT BOARD SEMINOLE COUNTY FLORIDA

Date: 2 42 105

Notary Public in and for the County and State Aforementioned My commission expires:



SEMINOLE COUNTY, a political subdivision of the State of Florida.

CASE NO. 05-08-CEB

Petitioner,

VS.

DWIGHT R BEACHAM & KEITRA L

Respondent.

AFFIDAVIT OF REPEAT VIOLATION

BEFORE ME, the undersigned authority, personally appeared **Dorothy Hird, Code Enforcement Officer, Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:**

- 1. That on **January 27, 2005,** the Board held a public hearing found a violation of a County Code and issued its Order in the above-styled matter.
- 2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **February 11, 2005.**
- 3. That a re-inspection was performed on **February 1, 2005** revealed that the corrective action ordered by the Board had been taken.
- 4. That an Affidavit of Compliance was filed on **February 1, 2005.**
- 5. That an additional re-inspection was performed on **June 30, 2005.**
- 6. That the violation found by the Board on January 27, 2005, has been repeated in that: the junked or abandoned vehicle not being kept within an enclosed garage or an attached carport is on the property.

FURTHER AFFIXAT SAYETH NO

DATED this 7th day of JUNE 2005.

Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA) COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 7th day of **June 2005** by **Dorothy Hird**, who is personally known to me and did take an oath.

JEANNE K. WILLIAMS
MY COMMISSION # DD 246654
EXPIRES: September 3, 2007
Bonded Thru Notary Public Underwriters

Notary Public in and for the

County and State Aforementioned SEminole County, Fl

My commission expires: Sept 3, 2007

SEMINOLE COUNTY, a political subdivision of the State of Florida,

Petitioner,

VS.

DWIGHT R BEACHAM & KEITRA L

Respondent.

CASE NO. 05-08-CEB

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE/COUNTY FLORED
By:

Date.

CORRECTED <u>AFFIDAVIT OF REPEAT VIOLATION</u>

BEFORE ME, the undersigned authority, personally appeared **Dorothy Hird**, **Code Enforcement Officer**, Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:

- 1. That on **January 27, 2005**, the Board held a public hearing found a violation of a County Code and issued its Order in the above-styled matter.
- 2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **February 11, 2005.**
- 3. That a re-inspection was performed on **February 1, 2005** revealed that the corrective action ordered by the Board had been taken.
- 4. That an Affidavit of Compliance was filed on **February 1, 2005.**
- 5. That an additional re-inspection was performed on **June 30, 2005.**
- 6. That the violation found by the Board on January 27, 2005, has been repeated in that: the junked or abandoned vehicle not being kept within an enclosed garage or an attached carport is on the property.

FURTHER AFFIANT SAYETH NOT.

DATED this 7th day of JULY 2005.

Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 7th day of **July 2005** by **Dorothy:** Hird, who is personally known to me and did take an oath.

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JEANNE K. WILLIAMS MY COMMISSION # DD 246654 EXPIRES: September 3, 2007 Notary Public in and for the

County and State Aforementioned SEMINOIE County

My commission expires: Sept 3, 2007

MARYANNE MORSE, CLERK OF SEMINULE COUNTY

BK 05850 PG 0832

BY G Harford

CLERK OF CIRCUIT

SEMINOLE COUNTY, a political subdivision of the State of Florida

Case No. 05-08-CEB

Petitioner,

vs.

DWIGHT R BEACHAM & KEITRA L

Respondent.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: Junta Dunia
Date: 8-24-05

AFFIDAVIT OF COMPLIANCE

(After Repeat Violation)

BEFORE ME, the undersigned authority, personally appeared Dorothy Hird, Code Enforcement Officer, Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:

- 1. That on **January 27, 2005**, the Board held a public hearing and issued its Order in the above-styled matter.
- 2. That, pursuant to said Order, Respondent was in compliance and had taken the remedial action on or before **February 11, 2005**,
- 3. That subsequent to the foregoing finding of compliance, a further **REINSPECTION** of the subject property was made on **June 30**, 2005. The Respondent was at that time no longer in compliance with the Order of **January 27**, 2005, by having repeated the original violation.
- 4. That the most recent reinspection on **August 16, 2005** revealed that additional corrective action had eliminated the repeat violation and that the subject property was once again found to be in compliance as of **August 16, 2005**.

FURTHER AFFIANT SAYETH NOT.

DATED this 16th day of AUGUST 2005.

Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 16th day of August 2005, by Dorothy Hird, who is personally known to me and who did take an oath

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 05883 PG 0230
FILE NUM 2005149668
RECORDED 09/01/2005 09:13:58 AM
RECORDING FEES 10.00
RECORDED BY G Harford

Notary Public in and for the

County and State Aforementioned

My commission expans

CONNIE R. DEVASTO
MY COMMISSION # DD 3109 13
EXPIRES: August 17, 2008
Bonded Thru Notary Public Inderwriters



YANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY
BK 05886 PGS 1329-1330
CLERK'S # 2005151307
RECORDED 09/02/2005 03:27:22 PM
RECORDING FEES 18.50
RECORDER OF HOSE 08-CEB

SEMINOLE COUNTY, a political subdivision of the State of Florida,

Petitioner,

vs.

DWIGHT R. and KEITRA L. BEACHAM PARCEL I.D. # 18-21-30-502-0B00-010A and PARCEL I.D. # 18-21-30-502-0B00-010B

Respondents

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By:

By:

8-29-05

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE

The Respondents are the owners of record of the property (Tax Parcel ID #18-21-30-502-0B00-010A and #18-21-30-502-0B00-010B) located at 133 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG S 1/2 OF N 2/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 27, 2005 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(I).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by February 11, 2005. Compliance was obtained on February 1, 2005.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of June 30, 2005.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of August 16, 2005.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated January 27, 2005.

05-08-CEB DWIGHT R. and KEITRA L. BEACHAM

Therefore, the Board finds that the Respondents were in repeat violation and orders that the fine of \$2,300.00, for 46 days of non-compliance, from June 30, 2005 through and including August 15, 2005, at \$50.00 per day be reduced to \$200.00. Respondents are further ordered to pay said fine of \$200.00 on or before September 23, 2005, or said fine shall revert back to \$2,300.00.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 25th day of August, 2005, in Seminole County, Florida

CODE ENFORCEMENT BOARD SEMINOLE COUNTY, FLORIDA

TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 25th day of August 2005, by Tom Hagood, who is personally known to me.

Connie R. DeVasto, Notary Public to and for the County and State

aforementioned.

My Commission Expires:



MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06024 PGS 1001-1002
CLERK'S # 2005209471
RECORDED 12/05/2005 03:55:42 PM
RECORDING FEES 18.50
RECORDED BY G Harford

SEMINOLE COUNTY, a political subdivision of the State of Florida,

CASE NO. 05-08-CEB

Petitioner,

VS.

DWIGHT R. BEACHAM and KEITRA L. BEACHAM PARCEL I.D. # 18-21-30-502-0B00-010A and PARCEL I.D. # 18-21-30-502-0B00-010B

Respondents.

CERTIFIED COPY

CLERK OF THE

CODE ENFORCEMENT BOARD

SEMINOLE COUNTY FLORIDA

By: / Mun Sunn Date: 12-1-05

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel ID #18-21-30-502-0B00-010A and #18-21-30-502-0B00-010B) located at 133 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG S 1/2 OF N 2/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22 LEG S 1/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 27, 2005 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by February 11, 2005. Compliance was obtained on February 1, 2005.

An Affidavit of Repeat Violation was filed with the Board by the Code Officer, which Affidavit certified under oath that the violation was being repeated as of June 30, 2005.

An Affidavit of Compliance After Repeat Violation was filed with the Board by the Code Officer, which Affidavit certified under oath that corrective action had been taken by the Respondents as of August 16, 2005.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated January 27, 2005.

On August 25, 2005, the Board found that the Respondents were in repeat violation and entered Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance which ordered that the fine of \$2,300.00, for 46 days of non-compliance, from June 30, 2005 to and including August 15, 2005, at \$50.00 per day be reduced to \$200.00. Respondents were further ordered to pay said fine of \$200.00 on or before September 23, 2005, or said fine would revert back to \$2,300.00. Respondents failed to pay the reduced fine of \$200.00 on or before September 23, 2005.

Accordingly, it having been brought to the Board's attention that Respondent failed to comply with the Order dated August 25, 2005, the Board orders that a lien of \$2,300.00, for 46 days of non-compliance, from June 30, 2005 to and including August 15, 2005, be imposed against the property.

This Order shall be recorded in the Public Records of Seminole County and shall constitute a lien against the land on which the violation existed and upon any other real or personal property owned by the Respondent.

RESPONDENT IS HEREBY NOTIFIED THAT IT OR ANY PARTY, INCLUDING SEMINOLE COUNTY, WHO MAY BE AGGRIEVED BY THIS ORDER, HAS THE RIGHT TO APPEAL TO CIRCUIT COURT WITHIN THIRTY (30) CALENDAR DAYS OF THE RENDITION OF THIS ORDER, AS SET FORTH IN § 162.11, FLA. STAT.

DONE AND ORDERED this 1st day of December 2005, in Seminole County, Florida.

CODE ENFORCEMENT BOARD SEMINOLE COUNTY, FLORIDA

TOM HAGOOD, CHAIR

STATE OF FLORIDA COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 1st day of December 2005, by Tom Hagood, who is personally known to me.

rom Hagood, who is personally known to me

SARAH KERSEY

MY COMMISSION # DD469525

EXPIRES: Sept. 7, 2009

(407) 398-0153 Florida Notary Service.com

Sarah Kersey

Notary Public to and for the

County and State aforementioned.

My Commission Expires:

SECURITY WARNING: THE FACE OF THIS DOCUMENT FEATURES A COLORED BACKGROUND AND MICROPRINT BORDERS - THE REVERSE SIDE FEATURES ARTIFICIAL WATERMARKS This Check is Void Unless Presented At This Bank for Payment Within

60 Days from Date Hereof

32-61

242998

CHECK DATE

10/01/2008

\$2,300.00

AMOUNT

PAY

Two Thousand Three Hundred And NO/100 Dollars

TO THE ORDER OF

Board of County Commissioners

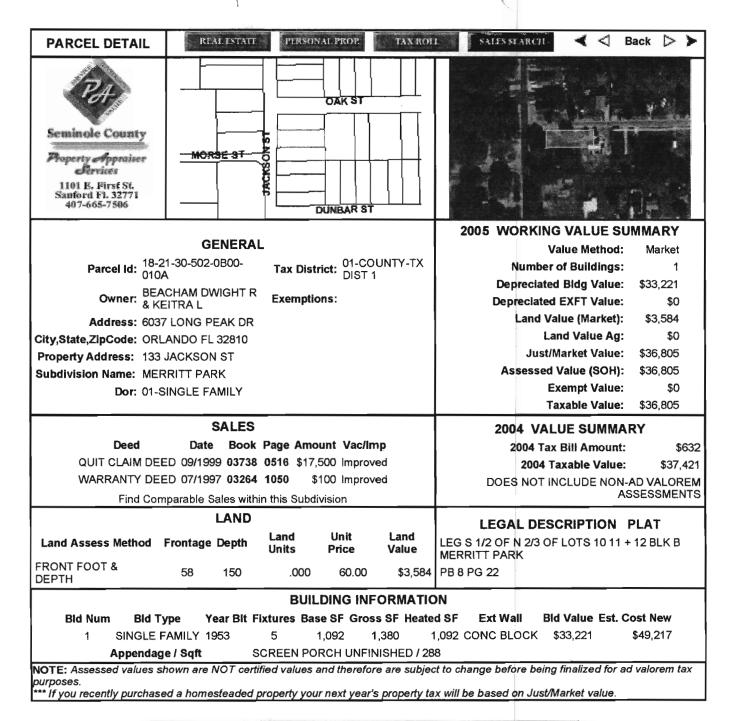
Chase Bank of Texas, N.A.

VFL-B12005

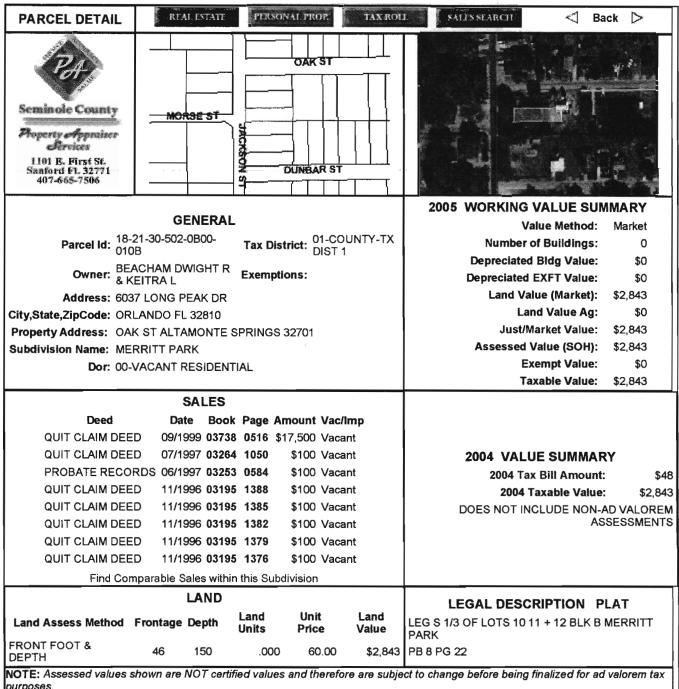
STEWART TITLE GUARANTY COMPANY BY.

AUTHORIZED SIGNATURE

RECEIPT	Nº 71672	
SEMINOLE COUNTY, FLORIDA		
Date 10 20 08 tewart Title	Guaranty Co	
Received from	7	
Description (aSe NO, 05-08	-CEB	
Account Number Amount 20.00	Description	
Total Amount 2300.00 Board of Check No. 24298 Cash By	County Commissioners	

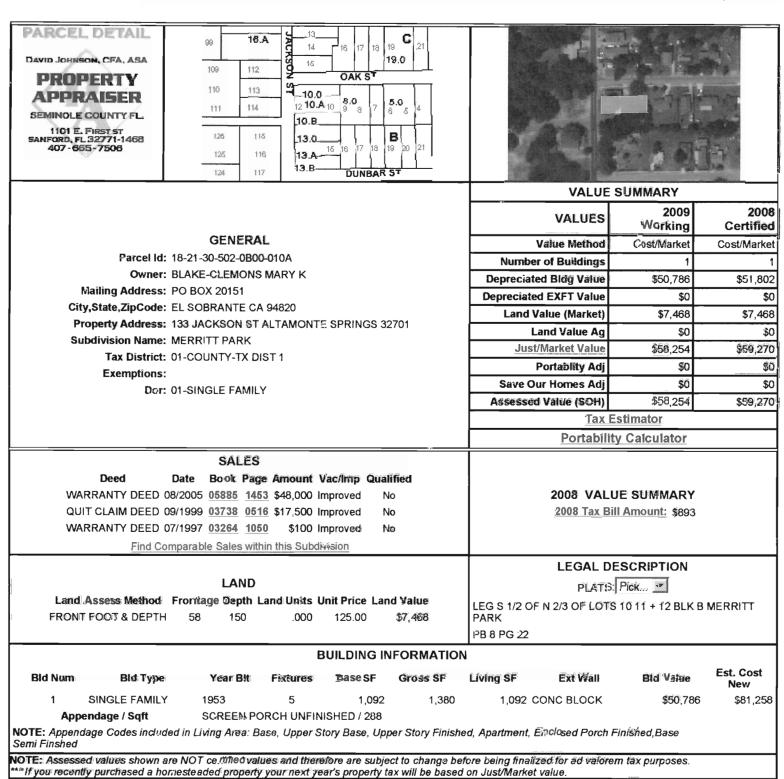


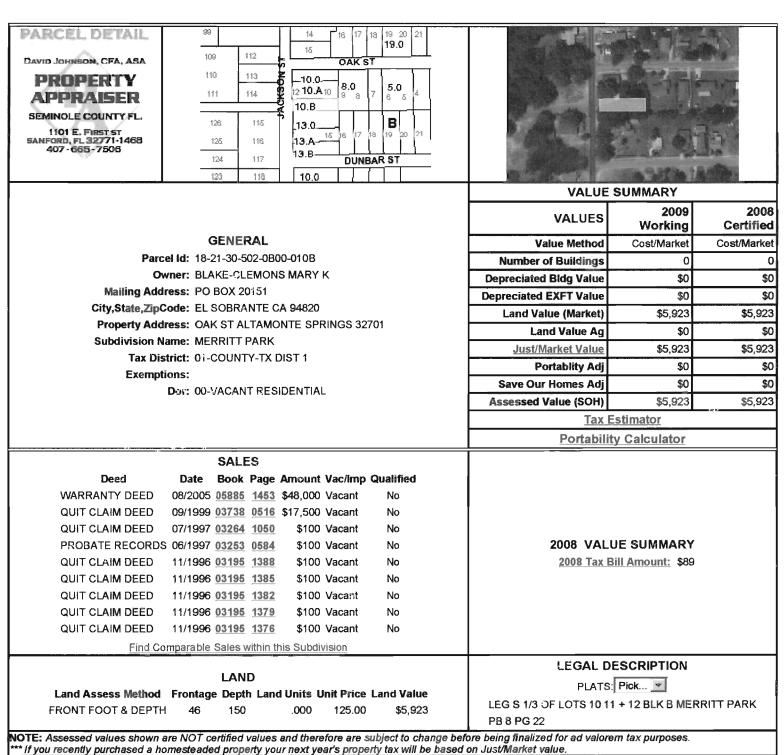
BACK PROPERTY APPRAISER CONTACT
HOME PAGE



*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value







SATISFACTION OF LIEN AS TO PARTICULAR PARCEL

THIS instrument disclaims and releases the lien imposed by the Order Finding Compliance and Imposing Fine/Lien, issued by the Seminole County Code Enforcement Board in Case No. 05-08-CEB, filed against DWIGHT R. & KEITRA L. BEACHAM and filed by and on behalf of Seminole County, on December 1, 2005, and recorded in Official Records Book 06024, Pages 1001-1002, of the Public Records of Seminole County, Florida, against the following described real property:

LEG S 1/2 OF N 2/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22 &

LEG S 1/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK PB 8 PG 22

The undersigned is authorized to and does hereby disclaim and release the lien as to the whole of the above-described real property, and consents that the same be discharged of record.

DATED this day of	,·
ATTEST:	BOARD OF COUNTY COMMISSIONERS SEMINOLE COUNTY, FLORIDA
·	Ву:
MARYANNE MORSE	BOB DALLARI, Chairman
Clerk to the Board of County Commissioners of Diagram	ate:
Seminole County, Florida	
For the use and reliance of Seminole County only. Approved as to form and legal sufficiency.	As authorized for execution by the Board of County Commissioners at their December 9, 2008 regular meeting.
County Attorney	